

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

**YASHICA BALDWIN, ISIS BALDWIN, CHAKINA
BALDIN, INDIVIDUALLY AND ON BEHALF
OF ALL WRONGFUL DEATH BENEFICIARIES
OF JESSE LEE BALDWIN, DECEASED**

PLAINTIFFS

V.

CIVIL ACTION NO. 21-619

**SYSKO CORPORATION; SYSKO JACKSON, LLC;
SYSKO LEASING, LLC; RODERICK BROWN; AND
JOHN DOES 1-20**

DEFENDANTS

COMPLAINT

JURY TRIAL DEMANDED

COME NOW, Yashica Baldwin, Isis Baldwin, and Chakina Baldwin, individually and on behalf of all wrongful death beneficiaries of Jessie Lee Baldwin, by and through counsel of record, and file this Complaint against Sysco Corporation; Sysco Jackson, LLC, Sysco Leasing, LLC, and John Does 1-20, together the Defendants, and complain as follows:

PARTIES

1. Plaintiff, Yashica Baldwin, wife of Jessie Lee Baldwin, deceased, is an adult resident of Mississippi who resides at 1021 Trinity Drive, Madison, MS 39110.
2. Plaintiff, Isis Baldwin, daughter of Jessie Lee Baldwin, deceased, is an adult resident of Mississippi who resides at 232 Pemberton Drive, Pearl, MS 39208.
3. Plaintiff, Chakina Baldwin, daughter of Jessie Lee Baldwin, deceased, is an adult resident of Mississippi who resides at 1924 Mobile Avenue, Jackson, MS 39213.
4. Defendant, Sysco Corporation, is a foreign corporation licensed to do business in Mississippi and may be served with process by serving its registered agent Corporation

Exhibit "A"

Service Company at 7716 Old Canton Road, Suite, C, Madison, MS 39110. Sysco Corporation is incorporated in Delaware and maintains its principal place of business in Texas.

5. Defendant, Sysco Jackson, LLC, is a foreign limited liability company licensed to do business and doing business in Hinds County, Mississippi and may be served with process by serving its registered Corporation Service Company at 7716 Old Canton Road, Suite, C, Madison, MS 39110. Sysco Jackson, LLC is incorporated in Delaware and maintains its principal place of business in Mississippi.
6. Defendant, Sysco Leasing, LLC, is a foreign limited liability company licensed to do business in Mississippi and may be served with process by serving its registered agent Corporation Service Company at 7716 Old Canton Road, Suite, C, Madison, MS 39110. Sysco Leasing, LLC is incorporated in Delaware and maintains its principal place of business in Indiana.
7. Defendant, Roderick Brown, is an adult resident of Louisiana who resides at 114 Providence Park, Sterlington, LA, 71280.
8. The Defendants, John Does 1-20 are individuals and entities presently unknown to Plaintiffs at this time and are named in this lawsuit pursuant to Rule 9(h) of the Mississippi Rules of Civil Procedure. All allegations and claims asserted herein against Defendants are incorporated by reference against John Does 1-20. John Does 1-20 will be identified by name and joined in this action, by amendment of the Complaint, pursuant to the Mississippi Rules of Civil Procedure, when the information to do so becomes available.

JURISDICTION AND VENUE

9. This Court has proper subject matter and *in personam* jurisdiction. Moreover, venue is proper in this county pursuant to § 11-11-3 of the Mississippi Code Annotated, as the substantial acts complained of herein occurred in Hinds County, Mississippi.

FACTS

10. On or about the evening of March 8, 2021, Jessie Lee Baldwin, deceased, was traveling east on I-20 in Hinds County, Mississippi to return home from an IT consulting job.
11. Upon information and belief, as Mr. Baldwin proceeded down I-20 in a 2017 Chevy Malibu, he came upon signs for road construction ahead, and was slowed to a complete stop in the construction traffic.
12. Preceding Mr. Baldwin's vehicle was John Coffman, driving a 2005 Peterbilt semi-tractor pulling a 48' drop deck trailer loaded with a 20' cargo container filled with equipment, an 8-ton sand pot, an 825 CFM air compressor, and various hoses and other equipment.
13. Directly behind Mr. Coffman, and immediately preceding Mr. Baldwin, was James Wilkinson, driving a 2017 Ford F-350 pulling a 40' gooseneck flatbed trailer loaded with a 2012 Ford F-350 and other equipment.
14. While Mr. Baldwin was sitting in the standstill construction traffic, Defendants' employee, Roderick Brown, who was driving a 2016 Freightliner tractor-trailer, during the course of his employment, traveling in the right eastbound lane of I-20, slammed into the rear of the stopped Malibu at or around 64 mph with no braking event. This tremendous impact caused a cascade of other collisions involving the Coffman and Wilkinson vehicles.

15. Mississippi Highway Patrol and the Jackson Fire Department responded to the scene. Upon their arrival, Mr. Baldwin had already expired due to the injuries sustained from Mr. Bown's collision with his vehicle.
16. The above referenced conduct of Mr. Brown proximately caused the death of Mr. Baldwin due to the grossly wanton and negligent manner in which Mr. Brown operated the Freightliner, evidencing reckless disregard for the safety of others.
17. As a result of Defendants' negligence, Jessie Lee Baldwin was killed. The Plaintiffs seek damages for wrongful death, survival, personal injury, and mental and emotional distress.

CAUSES OF ACTION

COUNTY ONE – LIABILITY OF EMPLOYER VIA RESPONDEAT SUPERIOR

18. Plaintiffs reallege and incorporate by reference each and every averment set forth in the preceding paragraphs.
19. Roderick Brown was, during all times herein mentioned, the agent and employee of Defendants, acting within the course and scope of his employment while operating said Freightliner of which Defendants were the owners.
20. At the time and place of the above referenced collision, Roderick Brown was the agent and employee of the Defendants, and negligently operated the said Freightliner, which resulted in the death of Jessie Lee Baldwin, and damages to the Plaintiffs.

COUNT TWO – NEGLIGENCE AND NEGLIGENCE PER SE

21. Plaintiffs reallege and incorporate by reference each and every averment set forth in the preceding paragraphs.
22. Defendants' driver had a duty to operate the Freightliner in a safe and reasonable manner.

23. Defendants' driver was negligent in the operation of the Freightliner. Defendants' driver was negligent in that his conduct fell below and violated the standard of care expected of ordinary reasonable persons in like and similar circumstances.

24. Defendants' driver was negligent on the occasion complained of in the following respects: violated the Rules of the Road, violated Mississippi laws, violated provisions of the Federal Motor Carrier Safety Regulations, and other acts of negligence yet to be discovered.

25. Further, on the occasion in question, Defendants, acting by and through Roderick Brown, failed to use ordinary care in operating a vehicle, including, but not limited to, at least one or more of the following ways:

- a. failing to keep a proper lookout;
- b. failing to pay proper attention;
- c. driving while impaired by alcohol and/or other substances;
- d. failing to yield the right-of-way to a pedestrian;
- e. failing to timely apply his brakes;
- f. failing to exercise due care on a roadway with a pedestrian;
- g. driving at an excessive rate of speed;
- h. failing to take evasive action;
- i. moving his truck in an unsafe manner;
- j. failing to give warning; and
- k. otherwise acting negligently.

26. The foregoing acts and/or omissions constitute negligence and/or gross negligence and were a direct, foreseeable, and proximate cause of the injuries and death of Jessie Lee Baldwin and the damages sustained by Plaintiffs.

COUNT THREE – PUNITIVE DAMAGES

27. Plaintiffs reallege and incorporate by reference each and every averment set forth in the preceding paragraphs.

28. The Defendants, by and through Roderick Brown, acted in complete disregard of the duties owed to the deceased and Plaintiffs by acting in a grossly negligent manner and with wanton and reckless disregard for the safety of the deceased, Jessie Lee Baldwin. Therefore, the actions of the Defendants warrant punitive damages.

DAMAGES

29. As a result of the negligence of Defendants, Plaintiffs have suffered and will suffer substantial economic and non-economic damages and loss, including, without limit: lost wages and income, lost companionship and society, physical pain and suffering, mental anguish, emotional distress, pecuniary loss, loss of care, maintenance, support, services, advice, counsel and contributions of a pecuniary value, lost consortium, loss of affection, solace, comfort, assistance, emotional support, and love, reasonable and necessary medical and psychiatric expenses, funeral and burial expenses, and attorneys' fees, costs, and expenses herein. Plaintiffs are entitled to compensation for such damages, and to interest thereon as permitted by law.

REQUEST FOR JURY TRIAL

30. Pursuant to the laws and the Constitution of the State of Mississippi, Plaintiffs hereby request trial by jury.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray for judgment against Defendants for all damages, including: all actual damages; all wrongful death damages; all survival and/or estate damages; all economic damages; all non-economic damages; past and future lost wages; past and future loss of consortium; past and future physical pain and mental anguish; past and future medical and psychiatric care; past and future loss of companionship and society; past and future loss of services; attorneys' fees incurred herein; punitive and exemplary damages; pre-judgment and post-judgment interest as permitted by law; and all other damages of every sort and character as may be recoverable. Plaintiffs request all other and further relief to which they may be justly entitled, at law or in equity.

RESPECTFULLY SUBMITTED this, the 5 day of October, 2021.

YASHICA BALDWIN, ISIS BALDWIN, AND
CHAKINA BALDWIN, INDIVIDUALLY AND
ON BEHALF OF ALL WRONGFUL DEATH
BENEFICIARIES OF JESSIE LEE BALDWIN,
DECEASED

BY: _____

R. ALLEN SMITH, JR.

OF COUNSEL:

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